PATENT APPLICATION Mo-5972D2 LeA 32,824D2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION OF                           | )    |  |  |  |  |  |  |  |  |
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| WOLFRAM ANDERSCH ET AL                   |      |  |  |  |  |  |  |  |  |
| SERIAL NUMBER: TO BE ASSIGNED            | ))   |  |  |  |  |  |  |  |  |
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| TITLE: SYNERGISTIC INSECTICIDAL MIXTURES | 1))) |  |  |  |  |  |  |  |  |

## INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. 1.97 AND 1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Sir:

This Information Disclosure Statement Pursuant to 37 C.F.R. Section 1.97 and 1.98 is being submitted before the first Office Action in order that the Patent and Trademark Office may consider the relevancy of certain information to the invention described and claimed in the subject application, and in compliance with the regulations concerning information disclosure statements.

As permitted by 37 C.F.R. 1.98(d)(1) and (2), Applicants are <u>not</u> supplying herewith copies of any patent, publication, pending U.S. application or other information listed on the accompanying Form PTO 1449.

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| Date of Deposit December 12, 2003  |
| I hereby certify that this paper or fee is being deposited with the United States Postal Service<br>"Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated<br>above and is addressed to the Commissioner of Patents and Trademarks,<br>Alexandria, VA 22313-1450. |
| Donna J., Veatch   |
| (Name of person mailing paper or fee)  Signature of person mailing paper or fee)   |
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The present application is a Divisional application of U.S. Patent Application Serial Number 09/700,675 filed November 17, 2000, (the "Earlier Application(s)") which Earlier Application(s) is (are) relied upon for an earlier effective filing date under 35 U.S.C. Section 120. The Information cited on the accompanying Form PTO 1449 was cited in and copies thereof were provided with one or more Information Disclosure Statements and/or Forms PTO1449 filed in the Earlier Application(s).

More particularly, this Information was cited and copies thereof were provided in the Earlier Application(s) by way of:

Form PTO 1449 filed July 12, 2001 in Serial Number 09/700,675.

Additional Information may have been cited in, and copies thereof may have been provided by the U.S.P.T.O. with, one or more Forms PTO 892 in the Earlier Application(s). Applicants request that such Information also be made of record in the case.

This Information Disclosure Statement should not be construed as a representation that a search has been made, that additional Information material to the examination of this application does not exist, that any document mentioned herein constitutes prior art, or that the documents listed severally or in any combination with one another or with any other information, are believed to render any claim in the subject application prima facie unpatentable.

Respectfully submitted,

Richard E. L. Henderson Attorney for Applicants

Reg. No. 31,619

Bayer CropScience LP 100 Bayer Road Pittsburgh, Pennsylvania 15205-9741 (412) 777-3809 **FACSIMILE PHONE NUMBER:** (412) 777-3902 s/rmc/relh/0289

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|               | orm PTO 144<br>ov. 7-80<br>L!         | IST OF I     | U.S. Department of C<br>Patent and Trademark<br>PRIOR ART CITED BY<br>e Several Sheets If Nec | k Office        | CANT            |         | Atty. Docket No.<br>Mo5972D2/LeA 32,8<br>Applicant<br>Wolfram Andersch e |  | Serial No.<br>To be assign | et <u>1</u> of<br>ed | 6                               |
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| E             | XAMINER<br>INITIAL                    |              | DOCUMENT NUM  | DOCUMENT NUMBER |                 |         | NAME   | CLASS  | SUBCLAS                    |                      | LING DATE<br>F APPRO-<br>PRIATE |
|               |                                       | AA 4,590,272 |   |                 | 05/2            | 20/86   | (Bel. to corresp. to EP<br>Shiokawa et al                                | 136,636)<br>544                                | 335                        |                      | PRIATE                          |
|               |                                       | AB           | 4,647,570   |                 | 03/0            | 03/87   | (Bel. to corresp. to EP<br>Shiokawa et al                                | 154,178)<br>514                                | 341                        | _                    | <del></del>                     |
|               |                                       | AC           | 4,678,795   |                 | 07/0            | 07/87   | (Bel. to corresp. to EP<br>Shiokawa et al                                | 341  |                            |                      |                                 |
|               |                                       | AD 4,680,294 |   | · ·             | 07/1            | 14/87   | (Bel. to corresp. to EP Shiokawa et al                                   | 514<br>154,178)<br>514                         | 256                        |                      |                                 |
|               |                                       | AE           | 4,742,060   | :               | 05/0            | 3/88    | (Bel. to corresp. to EP Shiokawa et al                                   | 192,060)<br>514                                | 252                        |                      |                                 |
|               |                                       | AF           | 4,772,620   |                 | 09/2            | :0/88   | (Bel. to corresp. to EP<br>Shiokawa et al                                | 212,600)<br>514                                | 341                        |                      |                                 |
|               |                                       | AG           | 4,774,247   |                 | 09/2            | 7/88    | (Bel. to corresp. to EP<br>Shiokawa et al                                | 163,855)<br>514                                | 256                        |                      |                                 |
|               | · · · · · · · · · · · · · · · · · · · | АН           | 4,803,277   |                 | 02/07/89        |         | (Bel. to corresp. to EP<br>Shiokawa et al                                | 259,738)<br>514                                | . 332                      |                      |                                 |
|               |                                       | AI           | 4,806,553   |                 |                 |         | (Bel. to corresp. to EP<br>Shiokawa et al                                | 254,859)<br>514                                | 332                        |                      | · · · · · · · · · · · · ·       |
|               |                                       | AJ           | 4,812,571   | !               | 03/14           | 4/89    | (Bel. to corresp. to EP<br>Shiokawa et al                                | 163,855)<br>546                                | 296                        |                      |                                 |
|               |                                       | AK           | 4,812,454   |                 | 03/14           |         | (Bel. to corresp. to EP<br>Shiokawa et al                                | 212,600)<br>514                                | 256                        |                      |                                 |
| <del></del> , |                                       |              |   | FC              | REIG            | SN PAT  | TENT DOCUMENTS   |  |                            | ,                    |                                 |
|               |                                       | DO           | CUMENT NUMBER   | DA              | ATE             |         | COUNTRY  | CLASS  | SUBCLASS                   | TRANS                | SLATION<br>No*                  |
| _             | AL                                    | 91/176       | 359   | 11/28           | 3/91            | World F | Patent   |  |                            |                      |                                 |
|               | AM                                    | 455,00       | 00  | 01/31           | /96             | Europe  | )  |  |                            |                      |                                 |
| _             | AN                                    | 135,95       | i6  | 04/03           | i/85            | Europe  | )  |  |                            |                      |                                 |
|               | AO                                    | 189,972      | ′2  | 08/06           | 08/06/86 Europe |         |  |  |                            |                      |                                 |

|      | AP    | 364,844            | 03/16/94   | Europe                                |                |               |          | 1       |  |  |  |  |
|------|-------|--------------------|--|---------------------------------------|----------------|---------------|----------|---------|--|--|--|--|
|      |       | OTHER PRIOR        | ART (Inclu   | iding Author, Title, Date, P          | ertinent Page  | s Ftc.)       | ــــــا  | نـــــا |  |  |  |  |
|      |       | DowElanco (trade r | nagazine),   | Down to Earth, Vol., 52, N            | Vo. 1 (month u | navailable) 1 | 977 page | ac 1.   |  |  |  |  |
| 1 1  | AR    | 45                 | DowElanco (trade magazine), Down to Earth, Vol., 52, No. 1 (month unavailable), 1977, pages 1- |                                       |                |               |          |         |  |  |  |  |
|      |       |                    |  |                                       | <del></del>    |               |          |         |  |  |  |  |
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Neither English Language Equivalent nor an English Language Translation is available.

Sheet 2 of 6 Serial No. To be assigned

Form PTO 1449 U.S. Department of Commerce Patent and Trademark Office LIST OF PRIOR ART CITED BY APPLICANT Rev. 7-80 (Use Several Sheets If Necessary)

Atty. Docket No. Mo5972D2/LeA 32,824D2 Applicant Wolfram Andersch et al Filing Date Group Herewith

| EXAMINER INITIAL                      |    | DOCUMENT NUMBER | DATE     | NAME                                      | CLASS             | SUBCLASS | FILING DAT |  |
|---------------------------------------|----|-----------------|----------|---|-------------------|----------|------------|--|
|                                       | AA | 4,845,106       | 07/04/89 | (Bel. to corresp. to EP<br>Shiokawa et al | 192,060)<br>514   | 342      | PRIATE     |  |
|                                       | АВ | 4,849,432       | 07/18/89 | (Bel. to corresp. to EP Shiokawa et al    | 235,725)<br>514   | 341      |            |  |
|                                       | AC | 4,882,344       | 11/21/89 | (Bel. to corresp. to EP<br>Shiokawa et al | 259,738)<br>514   | 342      |            |  |
|                                       | AD | 4,914,113       | 04/03/90 | (Bel. to corresp. to EP<br>Shiokawa et al | 315,826)<br>514   | 333      |            |  |
|                                       | AE | 4,918,086       | 04/17/90 | (Bel. to corresp. to EP<br>Gsell          | 302,833)<br>514   | 351      |            |  |
|                                       | AF | 4,918,088       | 04/17/90 | (Bel. to corresp. to BR<br>Gsell          | 8,803,621)<br>514 | 357      |            |  |
|                                       | AG | 4,948,798       | 08/14/90 | (Bel. to corresp. to EP<br>Gsell          | 306,696)<br>514   | 275      |            |  |
| · · · · · · · · · · · · · · · · · · · | АН | 4,963,572       | 10/16/90 | (Bel. to corresp. to EP<br>Gsell          | 303,570)<br>514   | 357      |            |  |
|                                       | AI | 4,963,574       | 10/16/90 | (Bel. to corresp. to FR<br>Bachmann et al | 2,611,114)<br>514 | 357      |            |  |
|                                       | LA | 4,988,712       | 01/29/91 | (Bel. to corresp. to EP<br>Shiokawa et al | 259,738)<br>514   | 340      |            |  |
|                                       | AK | 5,001,138       | 03/19/91 | (Bel. to corresp. to EP<br>Shiokawa et al | 192,060)<br>514   | 342      |            |  |

DOCUMENT NUMBER DATE COUNTRY : CLASS **SUBCLASS** TRANSLATION Yes No\* AL 383,091 11/10/93 Europe 386,565 01/12/94 Europe ΑN 428,941 05/03/95 Europe AO 685,477 12/06/95 Europe ΑP 649,845 04/26/95 Europe

|         |      | OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.) | <del></del> |  |
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| Form PTO 1449<br>Rev. 7-80<br>LIS | T OF                         | U.S. Department of<br>Patent and Trademar<br>PRIOR ART CITED BY | k Office<br>APPLIC | ANT  |         | Atty. Docket No.<br>Mo5972D2/LeA 32,<br>Applicant     | 1 to be designed |              |                  |                        |  |
|-----------------------------------|------------------------------|---|--------------------|--|---------|---|------------------|--------------|------------------|------------------------|--|
|                                   | (Use                         | Several Sheets If Ne  | cessary)           |  |         | Wolfram Andersch                                      | Group            |              |                  |                        |  |
|                                   |                              |   |                    | U.S.   | PATE    | Herewith  ENT DOCUMENTS                               |                  | <u> </u>     |                  |                        |  |
| EXAMINER<br>INITIAL               |                              | DOCUMENT NUM  | /BER               |  | ATE     | NAME  | CLASS            | SUBCLAS      | SS   IF          | ING DAT<br>APPROPRIATE |  |
|                                   | AA                           | 5,034,404   |                    | 07/2   | 3/91    | Uneme et al   | 514              | 365          |                  |                        |  |
|                                   | АВ                           | 5,034,524   | ١                  | 07/2   | 3/91    | Shiokawa et al  | 544              | 124          |                  |                        |  |
|                                   | AC                           | 5,039,686   |                    | 08/1   | 3/91    | Davies et al  | 514              | 341          |                  |                        |  |
|                                   | AD 5,049,571<br>AE 5,063,236 |   |                    | (Bel. to corresp. to EP  |         |   |                  | 345          |                  |                        |  |
|                                   |                              |   |                    | 09/17/91   Gsell   514<br>  (Bel. to corresp. to EP   306,696)<br>  11/05/91   Gsell   514 |         |   |                  |              | <del>-   -</del> |                        |  |
|                                   | AF                           | 5,166,164   | ;                  | 11/24  |         | (Bel. to corresp. to EP                               | 425,978)<br>514  | 318          |                  |                        |  |
|                                   | AG 5,202,242<br>AH 5,204,359 |   | •                  | 04/13  |         |   |                  | 357          | _                |                        |  |
|                                   |                              |   | -                  | 04/10  |         | Mynderse et al (Bel. to corresp. to EP Shiokawa et al | 435<br>375,907)  | 76           |                  |                        |  |
|                                   | Al                           | 5,204,360   | 04/20/93           |  |         | (Bel. to corresp. to EP<br>Shiokawa et al             | 192,060)         | 332          |                  |                        |  |
|                                   | AJ                           | 5,227,295   |                    | 07/13/93   |         |   | 514              | 342          |                  |                        |  |
|                                   |                              |   |                    |  |         | Baker<br>(Bel. to corresp. to EP                      | 435<br>375,907)  | 76           |                  |                        |  |
| 1                                 | AK .                         | 5,238,949   |                    | 08/24  |         | Shiokawa et al TENT DOCUMENTS                         | 514              | 327          | _                |                        |  |
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| AL                                | 36 39                        | 877   | 05/26/             | 88   | Germa   | any (Abstract Attached)                               |                  |              |                  | X                      |  |
| АМ                                | 93/091                       | 26  | 05/13/             | 93   |         | Patent  |                  | -            |                  | † ^                    |  |
| AN                                | 493,36                       | 9   | 11/08/             | 95   | Europe  | 9   |                  |              |                  | 1                      |  |
| AO                                | 376 27                       | 9   | 05/19/9            |  | Europe  |   |                  |              |                  | †                      |  |
|                                   | 97/002                       |   | 01/03/9            |  | World   |   | 1                |              |                  | <del> </del>           |  |
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Atty. Docket No.

Mo5972D2/LeA 32,824D2

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Wolfram Andersch et al

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|    | DOCUMENT NUMBER            | DATE   | NAME   | CLASS  | SUBCLASS   | FILING DAT<br>IF APPRO<br>PRIATE   |
|----|----------------------------|--|--|--|--|--|
| AA | 5,256,679                  | 10/26/93   | (Bel. to corresp. to EP Minamida et al   | 471,372)<br>514  | 357  |  |
| АВ | 5,280,123                  | 01/18/94   | (Bel. to corresp. to EP Nanjo et al  | 464,830)<br>548  | 111  |  |
| AC | 5,298,507                  | 03/29/94   | (Bel. to corresp. to EP<br>Shiokawa et al  | 192,060)<br>514  | 256  |  |
| AD | 5,304,566                  | 04/19/94   | (Bel. to corresp. to WO Ishimitsu et al  | 91/04965)<br>514   | 357 .  |  |
| AE | 5,362,634                  | 11/08/94   | Boeck et al  | 435  | 76   |  |
| AF | 5,405,961                  | 04/11/95   | (Bel. to corresp. to EP<br>Nanjo et al   | 464,830)<br>544  | 243  |  |
| AG | 5,428,032                  | 06/27/95   | (Bel. to corresp. to EP Shiokawa et al   | 192,060)<br>514  |  |  |
| АН | 5,461,167                  | 10/24/95   | (Bel. to corresp. to EP Shiokawa et al   | 192,060)<br>548  | 202  |  |
| AI | 5,532,365                  | 07/02/96   | Kodaka et al   | 544  | 212  |  |
| LA | 5,580,889                  | 12/03/96   | (Bel. to corresp. to EP<br>Shiokawa et al  | 192,060)<br>514  | 343  |  |
| AK | 5,670,364                  | 09/23/97   | (Bel. to corresp. to WO<br>Mynderse et al  | 94/20518)<br>435   | 252.1  |  |
|    | AB AC AD AE AF AG AH AI AJ | AA 5,256,679  AB 5,280,123  AC 5,298,507  AD 5,304,566  AE 5,362,634  AF 5,405,961  AG 5,428,032  AH 5,461,167  AI 5,532,365  AJ 5,580,889 | AA 5,256,679 10/26/93  AB 5,280,123 01/18/94  AC 5,298,507 03/29/94  AD 5,304,566 04/19/94  AE 5,362,634 11/08/94  AF 5,405,961 04/11/95  AG 5,428,032 06/27/95  AH 5,461,167 10/24/95  AI 5,532,365 07/02/96  AJ 5,580,889 12/03/96 | AA 5,256,679 10/26/93 (Bel. to corresp. to EP Minamida et al (Bel. to corresp. to EP Nanjo et al (Bel. to corresp. to EP Nanjo et al (Bel. to corresp. to EP Shiokawa et al (Bel. to corresp. to EP Shiokawa et al (Bel. to corresp. to WO Ishimitsu et al (Bel. to corresp. to WO Ishimitsu et al (Bel. to corresp. to EP Nanjo et al (Bel. to corresp. to EP Nan | AA 5,256,679 10/26/93 (Bel. to corresp. to EP Minamida et al (Bel. to corresp. to EP Minamida et | AA 5,256,679 10/26/93 (Bel. to corresp. to EP 471,372) 357  AB 5,280,123 01/18/94 (Bel. to corresp. to EP 464,830) 548 111  AC 5,298,507 03/29/94 Shiokawa et al 514 256  AD 5,304,566 04/19/94 Boeck et al 435 76  AF 5,405,961 04/11/95 Nanjo et al 5,44 243  AG 5,428,032 06/27/95 Shiokawa et al 514 226.8  AH 5,461,167 10/24/95 Shiokawa et al 544 212  AJ 5,580,889 12/03/96 Kodaka et al 514 343  (Bel. to corresp. to EP 192,060) 544 212  (Bel. to corresp. to EP 192,060) 548 202 |

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|               | DOCUMENT NUMBER | DATE        | COUNTRY ·                   | CLASS        | SUBCLASS | TRANSL | ATION |
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| AL            | 37 12 307       | 10/20/88    | Germany (Abstract Attached) |              |          |        | x     |
| AM            | 2,052,731       | 04/06/92    | Canada :                    |              |          |        | х     |
| AN            | 8291171         | 11/05/96    | Japan (Abstract Only)       |              |          |        |       |
| AO            | 7173157         | 07/11/95    | Japan (Abstract Only)       |              |          |        |       |
| AP            | 517883          | 07/20/93    | Japan (Abstract Only)       |              |          |        |       |
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|                       | AA           | AA 5,670,486  |          | 09/23/97    |         | (Bel. to corresp. to WO Mynderse et al                                 | 94/20518)<br>514            | 28                                  |             | TRATE                              |  |  |
|                       | AB           | 5,750,704   |          | 05/12/98    |         | (Bel. to corresp. to EP<br>Shiokawa et al                              | 192,060)<br>546             | 275.1                               |             |                                    |  |  |
| -                     | AC           | 5,840,861   |          | 11/24       | 4/98    | (Bel. to corresp. to WO<br>Mynderse et al                              | 94/20518)<br>536            | 16.8                                |             |                                    |  |  |
|                       | AD           | 5,852,012   |          | 12/22       | 2/98    | (Bel. to corresp. to EP<br>Maienfisch et al<br>(Bel. to corresp. to EP | 580,553)<br>514<br>580,553) | 229.2                               |             |                                    |  |  |
|                       | AE           | 6,022,871   |          | 02/08       | 3/00    | Maienfisch et al   | 514                         | 229.2                               | - 1         |                                    |  |  |
|                       | AF           | 6,022,967   |          | 02/08/00    |         | (Bel. to corresp. to EP<br>Shiokawa et al                              | 192,060)<br>544             | 298                                 |             |                                    |  |  |
|                       | AG 6,187,773 |   |          | 02/13       | 3/01    | (Bel. to corresp. to EP<br>Wu et al                                    | 428,941)<br>514             | 245                                 |             |                                    |  |  |
|                       | AH           |   |          |             |         |  |                             |                                     |             |                                    |  |  |
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| AL                    | 40093        | 371   | 01/14/   | 92          | Japan   | (Abstract Only)  |                             |                                     |             | 5 110                              |  |  |
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|   | AL                   | 325507   | 2   | 11/13/                     | 91_   | Japan (Abs | tract Only)                         |               |              |               |  |
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